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Under Circulation

**CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH, ALLAHABAD.**

THIS THE 06th DAY OF JANUARY, 2006.

**HON'BLE MR. K.B.S. RAJAN, MEMBER-J
HON'BLE MR. A.K. SINGH, MEMBER-A**

Review Application No. 82 of 2005

IN

Original Application No. 48 of 2005

Iqbal Ahmad ... Applicant

Versus.

Union of India & Others ... Respondents

ORDER

BY K.B.S. RAJAN, MEMBER-J

The Review application has been considered. Though it is claimed that the case does not hinge upon the retention of lien in the Draughtsman cadre and is different, the following facts would ^{confirm} ~~show~~ that there is no error apparent on the face of records:-

(a) The applicant was declared surplus in Tracer's cadre and was absorbed as Clerk; was promoted as Senior Clerk Grade Rs. 330-560/-; again ^{is} Head Clerk Grade Rs. 425-700/- .

(b) He was provided with shadow lien in the category of Tracer.

(c) The applicant also represented to the G.M. (P), N.R., Baroda House, New Delhi on 30.12.2003 to intimate the

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position of NBR for the purposes of refixation of the pay of the applicant so that his settlement dues be paid in time.

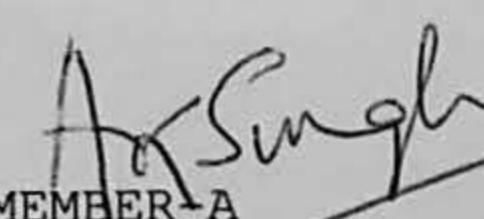
(d) After retirement of the applicant on 31.12.2003, the G.M. (P), N.R., Baorda House, New Delhi vide his letter dated 19.4.2004 advised the proforma fixation of pay of the applicant in respect of his junior in various grades and the service record of Sri R.K. Manocha was sent to the G.M. (P), CORE, Allahabad for needful action.

(e) It is mentionable here that the applicant should not suffer for administrative delay/lapse for which correspondence was going on since 1994 between the above officers for correct fixation of pay and give the benefit of NBR in respect of Sri R.K. Manocha.

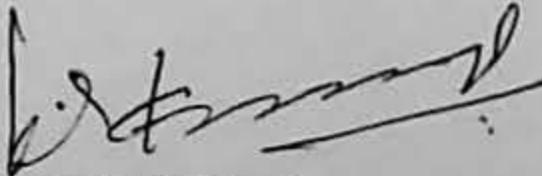
2. The authorities cited including order dated 10.8.2005 in O.A. no. 472 of 1998 are not applicable to the ^{fact} ~~faith~~ of the case. The striking distinction between the case of A.K. Kohli (OA 472/98) and that of the applicant is that in the case of Kohli, he was not rendered surplus, whereas the applicant was declared surplus and had been absorbed a Clerk in which cadre he was promoted as Sr. Clerk and Head Clerk.

3. The holding of any suitability test in the cadre cannot undo the declaration of the applicant as surplus as early as in late sixties.

4. The Review Application is, therefore, dismissed under circulation.


A.K. Singh
MEMBER-A

GIRISH/-


Girish
MEMBER-J